

## PATENT COOPERATION TREATY

PCT

## NOTIFICATION RELATING TO PRIORITY CLAIM

(PCT Rules 26bis.1 and 26bis.2 and  
Administrative Instructions, Sections 402 and 409)

From the INTERNATIONAL BUREAU

To:

AWAPATENT AB  
Box 45086  
S-104 30 Stockholm  
SUÈDE

Date of mailing (day/month/year) 09 January 2001 (09.01.01)	<b>IMPORTANT NOTIFICATION</b>
Applicant's or agent's file reference PC2008984	
International application No. PCT/SE00/01944	International filing date (day/month/year) 06 October 2000 (06.10.00)
Applicant ASTRAZENECA AB et al	

The applicant is hereby **notified** of the following in respect of the priority claim(s) made in the international application.

1. ☐ **Correction of priority claim.** In accordance with the applicant's notice received on: ,  
the following priority claim has been corrected to read as follows:
- ☐ even though the indication of the number of the earlier application is missing.
- ☐ even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
2. ☒ **Addition of priority claim.** In accordance with the applicant's notice received on: 29 December 2000 (29.12.00),  
the following priority claim has been added:  
SE 06 October 1999 (06.10.99) 9903612-1
- ☐ even though the indication of the number of the earlier application is missing.
- ☐ even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
3. ☐ As a **result of the correction and/or addition** of (a) priority claim(s) under items 1 and/or 2, the (earliest) priority date is:
4. ☐ **Priority claim considered not to have been made.**
- ☐ The applicant failed to respond to the Invitation under Rule 26bis.2(a) (Form PCT/IB/316) within the prescribed time limit.
- ☐ The applicant's notice was received after the expiration of the prescribed time limit under Rule 26bis.1(a).
- ☐ The applicant's notice failed to correct the priority claim so as to comply with the requirements of Rule 4.10.
- The applicant may, before the technical preparations for international publication have been completed and subject to the payment of a fee, request the International Bureau to publish, together with the international application, information concerning the priority claim. See Rule 26bis.2(c) and the PCT Applicant's Guide, Volume I, Annex B2(IB).
5. ☐ In case where **multiple priorities** have been claimed, the above item(s) relate to the following priority claim(s):
6. A copy of this notification has been sent to the receiving Office and
- ☒ to the International Searching Authority (where the international search report has not yet been issued).
- ☒ the designated Offices (which have already been notified of the receipt of the record copy).

<b>The International Bureau of WIPO</b> 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer  G. Bähr
Facsimile No. (41-22) 740.14.35	Telephone No. (41-22) 338.83.38

# PATENT COOPERATION TREATY

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## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner  
US Department of Commerce  
United States Patent and Trademark  
Office, PCT  
2011 South Clark Place Room  
CP2/5C24  
Arlington, VA 22202  
ETATS-UNIS D'AMERIQUE  
in its capacity as elected Office

Date of mailing (day/month/year)

11 July 2001 (11.07.01)

International application No.

PCT/SE00/01944

Applicant's or agent's file reference

PC2008984

International filing date (day/month/year)

06 October 2000 (06.10.00)

Priority date (day/month/year)

06 October 1999 (06.10.99)

Applicant

ALBREKTSSON, Tomas et al

1. The designated Office is hereby notified of its election made:



in the demand filed with the International Preliminary Examining Authority on:

25 April 2001 (25.04.01)



in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was



was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

Odile ALIU

Telephone No.: (41-22) 338.83.38

# PATENT COOPERATION TREATY

**PCT**

## NOTIFICATION OF THE RECORDING OF A CHANGE

(PCT Rule 92bis.1 and  
Administrative Instructions, Section 422)

From the INTERNATIONAL BUREAU

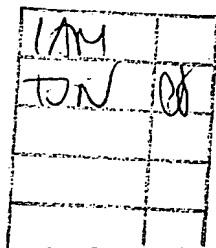
To:

AWAPATENT AB  
Box 45086  
S-104 30 Stockholm  
SUÈDE

<b>Date of mailing (day/month/year)</b> 03 July 2001 (03.07.01)	
<b>Applicant's or agent's file reference</b> PC2008984	<b>IMPORTANT NOTIFICATION</b>
<b>International application No.</b> PCT/SE00/01944	<b>International filing date (day/month/year)</b> 06 October 2000 (06.10.00)

<b>1. The following indications appeared on record concerning:</b> <input checked="" type="checkbox"/> the applicant <input type="checkbox"/> the inventor <input type="checkbox"/> the agent <input type="checkbox"/> the common representative		
<b>Name and Address</b> ASTRAZENECA AB S-151 85 Södertälje Sweden	<b>State of Nationality</b> SE	<b>State of Residence</b> SE
	<b>Telephone No.</b>	
	<b>Facsimile No.</b>	
	<b>Teleprinter No.</b>	
<b>2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:</b> <input checked="" type="checkbox"/> the person <input checked="" type="checkbox"/> the name <input checked="" type="checkbox"/> the address <input type="checkbox"/> the nationality <input type="checkbox"/> the residence		
<b>Name and Address</b> ASTRA TECH AB Aminogatan 1 SE-431 21 Mölndal Sweden	<b>State of Nationality</b> SE	<b>State of Residence</b> SE
	<b>Telephone No.</b>	
	<b>Facsimile No.</b>	
	<b>Teleprinter No.</b>	
<b>3. Further observations, if necessary:</b>		
<b>4. A copy of this notification has been sent to:</b> <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> the receiving Office  <input type="checkbox"/> the International Searching Authority  <input type="checkbox"/> the International Preliminary Examining Authority         </div> <div> <input checked="" type="checkbox"/> the designated Offices concerned  <input type="checkbox"/> the elected Offices concerned  <input type="checkbox"/> other:         </div> </div>		

<b>The International Bureau of WIPO</b> 34, chemin des Colombettes 1211 Geneva 20, Switzerland	<b>Authorized officer</b> <div style="text-align: center;">G. Bähr</div>
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38



# PATENT COOPERATION TREATY

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From the INTERNATIONAL BUREAU

NOTICE-INFORMING THE APPLICANT OF THE  
COMMUNICATION OF THE INTERNATIONAL  
APPLICATION TO THE DESIGNATED OFFICES

(PCT Rule 47.1(c), first sentence)

To:

AWAPATENT AB  
Box 45086  
S-104 30 Stockholm  
SUÈDE

**RECEIVED**

2001 -04- 20

AWAPATENT, Sthlm

Date of mailing (day/month/year) 12 April 2001 (12.04.01)		
Applicant's or agent's file reference PC2008984		<b>IMPORTANT NOTICE</b>
International application No. PCT/SE00/01944	International filing date (day/month/year) 06 October 2000 (06.10.00)	
Priority date (day/month/year) 06 October 1999 (06.10.99)		
Applicant ASTRAZENECA AB et al		

1. Notice is hereby given that the International Bureau has communicated, as provided in Article 20, the international application to the following designated Offices on the date indicated above as the date of mailing of this Notice:

AU, KP, KR, US

In accordance with Rule 47.1(c), third sentence, those Offices will accept the present Notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

2. The following designated Offices have waived the requirement for such a communication at this time:

AE, AG, AL, AM, AP, AT, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CR, CU, CZ, DE, DK, DM, DZ, EA, EE, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NO, NZ, OA, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, UG, UZ, VN, YU,  
The communication will be made to those Offices only upon their request. Furthermore, those Offices do not require the applicant to furnish a copy of the international application (Rule 49.1(a-bis)).

3. Enclosed with this Notice is a copy of the international application as published by the International Bureau on 12 April 2001 (12.04.01) under No. WO 01/24737

## REMINDER REGARDING CHAPTER II (Article 31(2)(a) and Rule 54.2)

If the applicant wishes to postpone entry into the national phase until 30 months (or later in some Offices) from the priority date, a demand for international preliminary examination must be filed with the competent International Preliminary Examining Authority before the expiration of 19 months from the priority date.

It is the applicant's sole responsibility to monitor the 19-month time limit.

Note that only an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II has the right to file a demand for international preliminary examination.

## REMINDER REGARDING ENTRY INTO THE NATIONAL PHASE (Article 22 or 39(1))

If the applicant wishes to proceed with the international application in the national phase, he must, within 20 months or 30 months, or later in some Offices, perform the acts referred to therein before each designated or elected Office.

For further important information on the time limits and acts to be performed for entering the national phase, see the Annex to Form PCT/IB/301 (Notification of Receipt of Record Copy) and Volume II of the PCT Applicant's Guide.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer J. Zahra
Facsimile No. (41-22) 740.14.35	Telephone No. (41-22) 338.83.38

**ATENT COOPERATION TREATY**

**PCT**

**INTERNATIONAL PRELIMINARY EXAMINATION REPORT**

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PC-2008984	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/SE00/01944	International filing date (day/month/year) 06.10.2000	Priority date (day/month/year) 06.10.1999
International Patent Classification (IPC) or national classification and IPC <sub>7</sub> A61F 2/28 // A61F 2/32		
Applicant ASTRA TECH AB et al		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 3 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand  25.04.2001	Date of completion of this report  10.01.2002
Name and mailing address of the IPEA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. 08-667 72 88	Authorized officer  Leif Brander/EK Telephone No. 08-782 25 00

**I. Basis of the report****1. With regard to the elements of the international application:\***

- ☒ the international application as originally filed
- ☐ the description:  
pages \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the claims:  
pages \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, as amended (together with any statement) under article 19  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the drawings:  
pages \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
pages \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

**2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.**

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

**3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:**

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

**4. ☐ The amendments have resulted in the cancellation of:**

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheet/fig \_\_\_\_\_

**5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2 (c)).\*\***

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item I and annexed to this report.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/SE00/01944

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	<u>1-35</u>	YES
	Claims		NO
Inventive step (IS)	Claims	<u>1-35</u>	YES
	Claims		NO
Industrial applicability (IA)	Claims	<u>1-35</u>	YES
	Claims		NO

**2. Citations and explanations (Rule 70.7)**

Documents cited in the International Search Report:

1. EP 0368488 A1
2. EP 0441577 A2
3. US 3996625 A
4. US 4978350 A

The cited documents represent the general state of the art.

The invention defined in claims 1-35 is not disclosed by any of these documents.

The cited prior art does not give any indication that would lead a person skilled in the art to the claimed implant having a first and a second threaded cylindrical section with a tapered connecting section. Therefore, the claimed invention is not obvious to a person skilled in the art.

According to the arguments stated above, the invention claimed in claims 1-35 is novel, considered to involve an inventive step and have industrial applicability.